

AUG 21 2017

TONY R. MOORE, CLERK
BY: _____
DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

ELMER SMITH

CIVIL ACTION NO. 1:16- CV-01545

VERSUS

CHIEF JUDGE DRELL

MARQUETTE
TRANSPORTATION COMPANY,
L.L.C., *et al.*

MAGISTRATE JUDGE PEREZ-MONTES

J U D G M E N T

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law:

IT IS ORDERED that Plaintiff's Motion to Remand for lack of subject matter jurisdiction (Doc. 43) is GRANTED.

IT IS ORDERED that Upriver Boat Supply's Motion to Dismiss (Doc.17) is DENIED AS MOOT.

THUS ORDERED AND SIGNED in Chambers at Alexandria, Louisiana on this 21st day of August, 2017.



CHIEF JUDGE DEE D. DRELL
UNITED STATES DISTRICT COURT